

The regular meeting of the Town Assembly of the Village of Arden was held on January 24, 1977 with Chairman, Thomas E. Colgan, presiding.

The minutes of the September 27, 1976 minutes were approved as circulated.

As required by the Senate Bill No. 256(Sunshine Law) the following is the list of attenders at this meeting:

Deborah Colgan	Helen Macklem	Tom Snyder
Lee Starr	Terry Colgan Hufford	Maryanne van Neerden
Mary Morley	Joan W. Colgan	Ethel G. Monfort
Harold R. Monfort	Rae Gerstine	Marjorie van Gulick
William Morley	Dora G. Johnson	Thomas E. Colgan
Paul Thompson	Penny Payne	Alton J. Dahl
Reese P. Davis	Linda Shinn	James Shinn
Beverly A. Barnett	Bea Jaffe	M. Jaffe
W. M. Vandever	Aaron Hamburger	Carolyn Liberman
Cecil Liberman	Frank Akutowicz	W. C. Press, Jr.
F. Herzog	Dave Adkins	Gary Johnson
Virginia Shaw	Ruth Estes	T. C. Stapleford
June Kleban	Sarah R. Moore	K. B. O'Toole
John Grimaldi	Tim Colgan	Sally Hamburger
Nancy Hajar	Andrew E. Foote	Randy Hoopes
George P. Mercer	Elizabeth Varley	Matthew O'Connor
Carol Hamilton	Leslie Stanford	Michael Curtis
Joan Colgan	Houston Roberts	Dan Weiss

A letter was received from Warren S. Hoffman resigning as a member of the Arden Civic Committee because he is moving outside the village.

A letter was received from the 75th Arden Anniversary Committee enclosing a check for \$119.12. This is closing out its checking account. The committee has repaid \$919.72 to the leaving only 80.88 due from the advance of \$1000. for the year-long birthday celebration.

A motion was made and accepted with one nay vote to have the secretary send Warren Hoffman a letter of thanks for his years of service to the community.

Trustees report was made by Cy Liberman. The financial report was circulated and a copy is on file.

Mr. Liberman reported that the county had abolished the local sanitary districts and taken over the bonds; therefore, Arden did not have to pay for its sewer indebtedness, but the County has not yet decided what it is going to do in the future about the sewers and it is waiting for the General Assembly to take action on it. The Trustee are watching all developments in this matter.

The Hoopes plan for a shopping center at Grubb and Marsh roads is known as the Arden Village Center. The Trustees requested that the name be changed; they opposed granting of rezoning, and recommend that a traffic impact study be presented.

Board of Assessors report made by Secretary, Deborah Colgan. Carl Von Dreele is Chairman. Next meeting will be April 11. The open meetings required in By-Laws will be May 25 and June 1.

No report from the Auditing Committee.

No report from the Budget Committee.

The Civic Committee report was presented by Reese Davis.

The committee held 3 meeting since the September Town Assembly. Major activities concerned preparation for the winter, completion of the Pond Road paving and drainage project and postponement of the negotiations for the Town Trash Collection service.

As many of you may know, in mid-November the Trustees received a letter from Thomas Luce, the County Attorney, stating that the County Council action establishing a single County-wide sewer district was not properly, or legally, executed and; therefore, the expectation of the elimination of Arden's \$15,000. annual sewer bond payment was premature. We have, of course, been spared one \$15,000 payment from the tax bill due in September 1976, however, our future sewer bond obligations are completely clouded at this time. We have every expectation that the County Council will seek the necessary legislation and bond holder approval to permit establishment of a single County-wide district. However, until this matter is settled, the Civic Committee with the full concurrence of the Budget Committee has deferred steps to implement the Town-wide Trash Collection service approved in the 1977-78 budget. This means that the service will not start on April 1st as originally planned.

Arrangements for plowing and sanding Town roads have been completed and contractor performance to date has been good. If any resident is concerned about snow removal, he should call Joan Colgan (475-7061). Sanding of known slippery spots will be done as necessary. Pond Road will only be plowed to level to permit sledding, but if it gets icy, it will be sanded.

The Civic Committee notes with regret the resignation of its Chairman, Warren Hoffman, due to his moving from the Town. We wish to extend our thanks and appreciation to Warren for his many years of service to this Committee and to the Town. Elections to fill the vacancy, will be conducted under New Business.

The Community Planning Committee report was presented by Ethel Monfort.

The new administration in Washington has announced it will take steps to reduce unemployment and that one of these steps will be an increase in federal funds for public works projects. The committee believes it would be wise for Arden to be ready with a list of approved local projects so that the town can file an application quickly when the proper time comes. The committee has, therefore, prepared a list of projects and recommends that the Town Assembly adopts a resolution on this subject tonight.

The same projects were considered in previous years as possibilities for federal grants under the community development program. Last year we decided not to apply for a grant under that program and we are not recommending any change in that position. We recommend that an application be filed under any new public works program which the Advisory Committee considers appropriate for Arden's participation. The resolution was considered under new business-Motion #7.

Registration Committee report by Sarah Hamburger:

We received 315 ballots from total registered voter at referendum of 413. Need 207 votes to carry the budget, but all items were approved by a good majority. The Following Assessors were elected: Carl Von Dreele,

Deborah Colgan, Jane Aughey, Frank Herzog, Eugene Shaw, Andrew Foote, John Grimaldi.

There are 425 eligible voters as of January 24, 1977.

Safety Committee report by Thomas Stepleford:

The committee reported that the number of dogs at large has decreased somewhat since the summer, but a problem remains. The dog ordinance provides the authority to fine owners, but apprehension of owners has proved difficult. The committee intends to have Animal Control Officers patrol at irregular intervals and to issue citations to owners of dogs picked up. A fine would be in addition to the Animal Control Agency fee. It is hoped that this activity will not be necessary more than once or twice. A motion will be presented under new business concerning curfew hours for the Arden commons in Arden Ordinance 4.

Buzz Ware Village Center Committee report by Marjorie van Gulick.

The committee had four meetings since the September Town Assembly. Finance in exceptionally good condition. Total in checking and savings account \$5,403.54.

The Friday night activities were discontinued, due to lack of attendance. The Committee has decided to try sponsoring some one-time activities such as a Spring Three-Ardens lawn sale; a plant exchange, and checking to see if there is interest in reviving the Christmas Emporium as a Center activity.

As mentioned in September, if the Town of Arden intends to use the Buzz Ware Village Center more fully after July, 1978, the Wilmington Montessori Association must be notified no later than September 1, 1977 in compliance with our agreement with them. That is only seven months away. The Committee expects to make a recommendation to the Town Assembly in March, 1977. A copy of the operating expense of the Wilmington Montessori Association was circulated, which the committee hopes will be of some help to anyone planning to submit alternate plans for the Buzz Ware Village Center.

Since September, 1976 the Wilmington Montessori Association has been making full use of the four classrooms; therefore, they lack storage for frequently-used equipment. They requested permission to build an outside storage area to the specifications of the Buzz Ware Village Center Committee, but financed by them.

The storage room would occupy a space approximately 6 x 10 feet outside the Center in the area between Room 4 and the window of the teacher's bathroom. The construction would be of cinderblock, painted to match the building, with one wooden door (outside access only.) The estimated cost would be \$800.

The Committee considered the request and felt that if the Town Assembly and the Wilmington Montessori Association approve, the storage space should be financed from the accumulation of funds in the maintenance funds for the following reasons:

1. The storage space enhances the use of the building as a permanent addition.
2. Since the lease has only 1½ years to run, it seemed inappropriate to require the tenant to finance the structure.
3. If the structure were financed by the Committee, Center would be in a more favorable position for joint use of the space.

A motion on this matter will be presented under new business.

Advisory Committee Chairman, William Press, reported that the nominees for the committee would be presented under new business. He noted that under the Budget Committee, Maryanne Van Neerden, had withdrawn her name, but Henry Aughey had consented to run for re-election.

Aaron Hamburger reported for the School Trustees. He said that we ought to be prepared for about 20% higher taxes in 1977 than 1976 based on the desegregation process. More details will be available when all the legal work has been accomplished.

Dan Weiss stopped in for a few moments. He said that he was not prepared to make a speech, but he wanted the community to know that he was interested in our problems.

Under new business the election to fill the vacancy on the Civic Committee was held. Frank Heymann and Kathleen Worth were nominated. The Registration Committee conducted the election and reported that Frank Heymann had been elected.

The list of nominees for the Town Assembly Committee made by the Advisory Committee were circulated and nominations were requested from the floor. Michael Curtis asked why there had been only one nominee for the officers of the Town Assembly. The By-Laws do not require that the Advisory Committee nominate more than one, although sometimes this has been done. Michael Curtis was nominated to run for Chairman of the Town Assembly and he accepted; therefore, his name was put on the ballot. The nominees are as follows: Those marked with an asterisk are presently serving on the committee:

AUDITING: William Bindloss*, Alton Dahl*, Finn Hannover, John Hewlett*, James Shinn, Leslie Stanford.

BUDGET COMMITTEE: Deborah Colgan, John Hewlett, Paul Thompson*, Woodrow Vandever, Henry Aughey*, Kathleen Worth,

CIVIC: William Bailey, Joan Colgan*, Reese Davis*, Frank Heymann*, Eugene Shaw, Elizabeth Varley, Kathleen Worth.

COMMUNITY PLANNING: Mary Burslem, Arlene Davis, Richard Florschutz, Cy Liberman*, Ethel Monfort*, Paul Thompson, George Mercer (nominated from floor)

REGISTRATION: Beverly Barnett, Ruth Estes, Sarah Hamburger*, Helen Macklem, Virginia Shaw, Lee Starr

SAFETY: Thomas Colgan*, Andrew Foote, Shaul Gladstone*, Nancy Hajar, Harold Monfort, Bartholomeo Passanante

BUZZ WARE CENTER: Beatrice Jaffe*, Gary Jones, June Kleban, Patricia Passanante, Marjorie vanGulick*, Elizabeth Varley

CHAIRMAN OF TOWN ASSEMBLY: Thomas Colgan*, Michael Curtis

ADVISORY COMMITTEE CHAIRMAN: William Press.

SECRETARY TOWN ASSEMBLY, Mary Morley

TREASURER, TOWN ASSEMBLY, Rae Gerstine

The Registration Committee proposed the following Motion - This is Motion #2

The Registration Committee recommends the Town Assembly adopt the following procedure in order to comply with the Sunshine Law.

1. Each committee of the Town Assembly must post their agenda seven(7) days in advance of their meeting. Special or rescheduled meetings must be posted no later than twenty-four(24) hours prior to the meeting. Emergency meetings do not require posting.
2. The three (3) official posting places shall be:
 - a. The bulletin board in the front hall of the Buzz Ware Village Center
 - b. The bulletin board on the outside of the Gild Hall

c. The bulletin board on the Arden Green.

3. We recommend form #3 be adopted for use by committees in posting their agendas.

The motion was carried with one nay vote.

MOTION #3 proposed by Registration Committee:

"Each committee of the Town Assembly shall elect a secretary who will be the official custodian of its records. Current records, those of the current year and the previous year, shall be kept by the custodian. Old records, those over two(2) years old, shall be stored at the Buzz Ware Village Center in a locked file. Persons requesting access to any committee records must make an appointment with appropriate custodian.

Custodians must be present during the examination of the records. No person shall be permitted to remove, deface, or alter records. Copies of records will be made by custodians upon request. Persons requesting copies will be responsible for the cost.

Keys to the old record file will be held by Town Assembly Chairman, Secretary to the Town Assembly, and Chairman of Registration.

Secretary to the Town Assembly shall be the official custodian of the records of the Town Assembly.

Motion #3 Carried 25 ayes and 18 nays.

Motion #4 proposed by the Registration Committee.

The Registration Committee requests that the Town Assembly instruct the Town Chairman to contact our lawyer, Joseph Rosenthal, to discuss the implication of the Sunshine law in relation to the way the Town Assembly currently conducts its business. The Town Chairman shall have the power to authorize Mr. Rosenthal to communicate with the Attorney General informing him of current town procedures regarding voting during Town Assembly.

The Registration Committee believes current practices to be in compliance with the intent of the law and requests a ruling to this effect.

Motion #4 carried with 2 nay votes

Motion #5 proposed by the Safety Committee.

"They recommend that the Arden commons, as described in Arden Ordinance 4, during the period ending December 31, 1977 be closed to all persons between the hours of 10:00 P.M. and 6:00 A.M."

In previous years the commons have been closed from dusk to dawn, unless permission has been granted by the Chairman of the Civic Committee or his designates. Rule 5 would still apply with new hours if approved.

Motion #5 Carried with 40 aye and 7 nay votes.

Motion #6:

Harold Monfort presented the following motion:

That Rule 7 be added to the Rules for use of Arden Commons to read

same as Rule 5 except it include the Arden Memorial Gardens, the Meadow Green and the Communal Woods. No person or group shall occupy this area between dusk and dawn without permission of the Chairman of the Civic Committee or his designate(s.) Permission shall be granted on the same basis as Rule 3..

It was pointed out that the Memorial Gardens are being used as a stamping grounds for youthful gatherings and damage is being done to the trees, etc.

Some residents urged defeat of the motion because people do use the area as a pathway to the other side of Arden.

Motion 6 was defeated with a vote of 11 ayes and 32 nays.

Harold Monfort requested that his name be withdrawn from the list of nominees for the Safety Committee.

Several of the residents thanked Harold for his service to the community and were sorry that he felt he could no longer serve on the committee. The Safety Committee must think of creative ways to stop the trouble that has been developing in that area with the help of all the other committees.

Motion #7 was presented by the Community Planning Committee:

"Resolved, the Arden Town Assembly hereby adopts a list of capital projects for physical improvements in Arden and authorizes the Advisory Committee to approve and the Town Assembly chairman to sign an application for federal funds to finance such projects under a federal public works program the Advisory Committee considers appropriate for Arden's participation.

Be it further resolved that the Planning Committee shall prepare the application for federal funds, with the approval of the Advisory Committee, and the Civic Committee shall administer any project or projects that are funded.

Be it further resolved that the projects for which federal funds may be sought are:

1. To improve pedestrian paths.
2. To provide for storm drainage and reduction of erosion in the woodlands
3. To clean up and protect the woodlands of Arden under the guidance of a professional forester.
4. To provide for storm drainage from the vicinity of Walnut and Inn Lanes to creek near Pond and Meadow Lanes.
5. For acquisition and restoration of historic buildings.
6. For improvement of Arden roads.

Motion #7 passed 29 ayes and 4 nays.

Motion #8 by the Buzz Ware Village Center Committee.

"Move that the Buzz Ware Village Center Committee be instructed to supervise the construction of an outside storage area outside the center at a cost of \$800. The storage space is to be financed from the accumulation of funds in the maintenance fund.

Some residents felt the additional storage was not necessary and did not think it would enhance the looks of the building. Some felt that the Wilmington Montessori Association is beginning to take up too much space.

Motion #8 was defeated with 11 aye and 19 nays.

Motion #9:

The Wilmington Montessori Association is to build an outside storage area to the specifications and under the supervision of the Buzz Ware Village Center Committee, but it is to be financed by the Association.

Motion #9 passed 20 aye 13 nays,

Motion #10

Cy Liberman proposed the following motion:

oppose
"That the Town Assembly/the construction of a shopping center at corner of Grubbs and Marsh roads."

Motion carried unanimously.

The meeting on motion adjourned.

Respectfully submitted,

Mary Morley
Mary Morley
Secretary